

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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CIRO CAMACHO,

Case No. 3:23-cv-00001-MMD-CSD

Petitioner,

ORDER

v.

TIM GARRETT, *et al.*,

Respondents.

Petitioner Ciro Camacho, a Nevada prisoner, filed a counseled First-Amended Petition for a Writ of Habeas Corpus under 28 U.S.C. § 2254. (ECF No. 12 (“Petition”).) Currently before the Court is Respondents’ motion to dismiss the Petition. (ECF No. 16 (“Motion”).) Camacho opposed the Motion, and Respondents replied. (ECF Nos. 21, 24.)

In Respondents’ Motion, they argued, in part, that ground 1(b)(3) is unexhausted or, alternatively, is technically exhausted but procedurally defaulted. (ECF No. 16.) In their reply, Respondents explain that they inadvertently labeled ground 1(b)(2) as ground 1(b)(3) in their motion to dismiss. (ECF No. 24 at 5 n.1.) As such, Camacho’s opposition to the Motion addressed whether ground 1(b)(3) is exhausted, not whether ground 1(b)(2) is exhausted. Given this issue, the Court finds that a surreply from Camacho is needed.

It is therefore ordered that Camacho has until March 7, 2024, to file a surreply to Respondents’ reply addressing the exhaustion of ground 1(b)(2).

DATED THIS 8<sup>th</sup> Day of February 2024.



MIRANDA M. DU  
CHIEF UNITED STATES DISTRICT JUDGE